

UTILITY PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of: Larry CASILLAS et al. Group Art Unit: 2856
Serial No.: 10/788,758 Examiner: Unknown
Filed: February 27, 2004 Atty Docket No.: H0002742-3180
For: APPARATUS AND METHOD OF SAMPLING SEMIVOLATILE COMPOUNDS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Commissioner:

In accordance with 37 C.F.R. 1.56 and in a manner prescribed by 37 C.F.R. 1.97 and 1.98, this Information Disclosure Statement (IDS) is being submitted herewith for placement in the file.

I. **CONTENT**

This IDS includes:

- ☒ A list of all patents, publications, applications, or other information submitted for consideration by the Office on PTO/SB/08A Form, which is included herewith;
- ☒ If required, a legible copy of: (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed, unless subsequently provided in this IDS.

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II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- ☒ Except as may be subsequently indicated in this section II, a concise explanation is not required as all of the patents, publications, applications or other information are in the English language, or the degree of relevance of each is indicated in the English language version of the International Search Report, which accompanies this IDS.
- ☐ A concise explanation of the relevance, as it is presently understood by the individual designated in 1.56(a) most knowledgeable about the content of the information, of all patents, publications, applications or other information listed that is not in the English language.
- ☐ A copy of the translation of a non-English Language document, or portion thereof is enclosed with this IDS (e.g., a translation of an abstract).
- ☐ Any patent, publication, pending application or other information that is listed on PTO/SB/08A Form, which are not enclosed herewith were previously cited by or submitted to the Office in one of the following applications that has been relied on for an earlier effective filing date under 35 U.S.C 120 and the IDS submitted in the earlier application complies with paragraphs (a) through (c) of 1.98:

U.S. Application Serial No.	U.S. Filing Date

III. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(b): (check one box)

- ☐ Within three months of the filing date of a national application other than a continued prosecution application under 1.53(d).
- ☐ Within three months of the date of entry of the national stage as set forth in 1.491 in an international application.
- ☐ Before the mailing date of a first Office Action on the merits. In the event that a first Office Action on the merits has been mailed, please consider this IDS under 37 C.F.R. 1.97(c) and see the statement under 1.97(e) or charge deposit account 50-2091 the fee specified by 37 C.F.R. 1.17(p) if such statement is not selected in Section VI.
- ☐ Before the mailing of a first Office Action after the filing of a request for continued examination under 1.114.

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NOV 09 2006**FACSIMILE TRANSMITTAL SHEET**

TO:

Examiner Tamiko Bellamy

FROM:

Cindy H. Kwacala, Reg. No. 47,667

COMPANY:

USPTO

DATE:

NOVEMBER 9, 2006

FACSIMILE NUMBER:

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PHONE NUMBER:

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H0002742-3180

RE:

Information Disclosure Statement

RECIPIENTS REFERENCE NUMBER:

10/788,758

URGENT

FOR REVIEW

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NOTES/COMMENTS:

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INTENDED FOR ENTRY**

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

12

Application Number

10/788,758

Filing Date

February 27, 2004

First Named Inventor

Larry CASILLAS

Art Unit

2858

Examiner Name

Tamiko Bellamy

Attorney Docket Number

H0002742-3180

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):PTO/SB/08A and Copy of PCT International
Search Report.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Ingrassia Fisher & Lorenz, PC

Signature

Printed name

Cindy H. Kwacala

Date

11/9/06

Reg. No.

47,667

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Cindy H. Kwacala

Date

11/9/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(c):

- ☐ After the period specified in 37 C.F.R. 1.97(b) and before the mailing date of any of a final action under 1.113, a notice of allowance under 1.311 or an action that otherwise closes prosecution in the application, and accompanied by:
- ☐ a statement specified in 1.97(e) as subsequently provided in this IDS; or
- ☐ the fee set forth in 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(d):

- ☐ After the period specified in 37 C.F.R. 1.97(c) and on or before the payment of the issue fee, and it is accompanied by a statement specified in 1.97(e) as subsequently provided in this IDS and the fee set forth in 1.17(p).

VI. Statement under 37 C.F.R. 1.97(e) (check only one box)

The undersigned hereby states that:

- ☐ Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this IDS.

VII. Statement under 37 C.F.R. §1.704(d)

- ☐ The undersigned hereby states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

VIII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$_____ is enclosed for fees due with respect to this IDS.
- ☒ Please charge Deposit Account No. 50-2091 in the amount of \$ 180.00 for the fees due with respect to this IDS. A duplicate copy of this paper is included with this IDS.

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IX. CONCLUSION

It is respectfully submitted that the claims presently on file patently distinguish the present invention from each of these references cited in this IDS. The references cited in this IDS are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art. Furthermore the filing of this IDS should not be construed to be an admission that the information cited in this IDS is, or is considered to be, material to patentability as defined in 1.56(b). In addition, the filing of this IDS should not be construed as a representation that a search has been made.

If the Examiner has any questions concerning these IDS, the Examiner is requested to contact the undersigned at the telephone number associated with Customer No. 29,906. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 50-2091.

Please charge any additional fees or credit any overpayment related to this IDS to Deposit Account No. 50-2091.

Respectfully submitted,

Date: 11/9/06By: Cindy H. Kwacala
Reg. No. 47,667**Ingrassia Fisher & Lorenz**
Customer Number 29906

Enclosures: ☒ PTO/SB/08A
☐ References
☒ Foreign Search Report
☐ Fee
☐ Other: _____

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Application Number	10/788,758
Filing Date	February 27, 2004
First Named Inventor	Larry CASILLAS
Art Unit	2856
Examiner Name	Tamiko Bellamy
Attorney Docket Number	H0002742-3180

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